of 1948), the Government of Mysore are pleased to appoint the Peons of the Excise and Prohibition Intelligence Bureau in Mysore as Prohibition Guards to exercise the powers and perform the duties of a Prohibition Officer under sections 35 and 36 of the said Act. The said Prohibition Guards shall also be deemed to be Prohibition Officers for purposes of sections 38, 39, 40 and 59 of the said Act.

SYED ABDUL ALEEM,
Secretary to Government,
Revenue Department.

No. S.D. 6348—C. 78-49-49, dated Bangalore, 30th January 1950.

In exercise of the powers conferred by Rules 75A, 75B and 81 of the Defence of India Rules as applied to Mysore and continued by the Supplies, Services and Miscellaneous Provisions (Temporary Powers) Act, 1947 (XX of 1947) and of all other powers enabling them in this behalf, the Government of Mysore are pleased to direct that the following clause shall be substituted for clause 4 (ii) of the Articles of Food Acquisition (Harvest) Order, 1949, issued under Notification No. S.D. 4054—C. 78-49-4, dated the 21st November 1949:—

"(ii) Subject to the provisions of this order and save in accordance with rules made by Government by notification in the *Mysore Gazette*, or with the permission of the Government, no person shall purchase, acquire, receive or come into possession in any manner whatsoever of any foodgrains:

Provided that this sub-clause shall not apply to the purchase, acquisition or receipt of foodgrains from the Government or to the purchase from any person or authority duly authorised by Government to sell such foodgrains."

Government further direct with reference to sub-rule (1) of Rule 119 of the said Rules that notice of this amendment shall be given by the publication of the same in the official Gazette.

No. S.D. 6359—C. 73-495-0, Bangalore, dated 30th January 1950.

I. Under the provisions of Clause 4 (ii) of the Articles of Food Acquisition (Harvest) Order, 1949, issued under Notification No. SD. 4054—C. 73-49-4, dated 21st November 1949 and as amended by Notification No. S.D. 6348—C. 73-49-49, dated 30th January 1950, the Government of Mysore are pleased to make the following rules for regulating gifts of foodgrains by individuals to Mutts, Temples and other Religious or Charitable Institutions or bodies :—

(1) The Director of Food Supplies in Mysore may dispose of deserving cases of gifts of foodgrains by growers, to Mutts or Temples or other religious or charitable institutions after ascertaining the requirements of the recipients and subject to the other conditions laid down in these rules, when the quantities involved are not in excess of twenty-five pallas ; all other cases being referred for orders of the Government.

(2) The actual requirements of the mutt, temple or other institution may be assessed by the local officers on the basis of consumption by such institution for the last five years, the consumption in the case of others being assessed on the prevailing scale of rations and actual number of persons for whose benefit the gift is intended.

(3) The issue of permits should be based on certificates issued by the local officers of the areas in which the temples, mutts or other institutions are situated, as to the *bonafides* or otherwise, of the requirements asked for.

(4) Foodgrains may be given by any person to a temple, mutt or other charitable institution from the quantity allowed to such person for his use and not from the surplus to be delivered to Government which shall be so delivered to the Government.

(5) The total quantity that can be collected for a temple, mutt or other institution should not be in excess of what is actually necessary to meet the deficit arising after taking into account the quantity of foodgrains received from the land owned or held by such temple, mutt or other institution.

(6) The prescribed transport permits will be issued by the authorities competent to issue such permits in accordance with clause 17 (i) of the Articles of Food

Acquisition (Harvest) Order, 1949, read with Circular No. 3271-44, dated 25th November 1944 of the Director of Food Supplies in Mysore.

(7) The applicant for the permit should be a duly authorised agent of the temple, mutt or other institution and should specify the names and other particulars of the villages in which the lands are situate and the names and addresses of the disciples or sympathisers from whom the foodgrains will be collected, together with the certificate of the Revenue Inspector to the effect that the donors have surrendered their surplus to Government in accordance with the provisions of the Articles of Food Acquisition (Harvest) Order, 1949, and that the quantity of foodgrains they wish to give to the temple, mutt or other institution is only out of the quantity allowed for the use of the disciples or sympathisers concerned.

(8) Care should be taken by the local officers to ensure that foodgrains obtained under these rules are not hoarded or used for purposes other than those for which they were obtained.

(9) The requirements of the temple, mutt or other institution should be estimated strictly in accordance with the rules regulating the quantity of foodgrains allowed for every individual.

(10) If the foodgrains have been collected for any particular function, after such function, or if the foodgrains have been received to meet the normal requirements of the year of the temple, mutt or other institution, at the end of the year for which the foodgrains were intended, a certificate should be recorded on the permit by the Amildar, stating that the collections and utilisation were according to the above rules and the permit sent to the Deputy Commissioner concerned or the Director of Food Supplies who issued the permit for being lodged in his office.

II. Government further direct with reference to sub-rule (1) of Rule 119 of the Defence of India Rules as applied to Mysore and continued by the Supplies, Services and Miscellaneous Provisions (Temporary Powers) Act, 1947, (XX of 1947) that notice of these rules shall be given by publication of the same in the *Mysore Gazette* and by the issue of a Press Note summarising and explaining its provisions.

No. SD. 6387—C. 73-49-52, dated Bangalore, 31st January 1950.

In exercise of the powers conferred by Rules 75-A, 75-B and Rule 81 of the Defence of India Rules as applied to Mysore and continued by the Supplies, Services and Miscellaneous Provisions (Temporary Powers) Act XX of 1947, the Government of Mysore are pleased to make the following amendment to the Articles of Food Acquisition (Harvest) Order, 1949, issued under Notification No. S.D. 4054—C. 73-49-4, dated 21st November 1949, and to direct with reference to sub-rule (1) of Rule 119 of the said Rules that notice of the amendment shall be given by the publication of the same in the official Gazette and by the issue of a press note summarising and explaining its provisions.

2. The following shall be inserted in Schedule I of the Order (Articles of Foodgrains) after "7. Navane":—

8. Save.
9. Sajje.

3. The following shall be inserted in Schedule III of the Order (Purchase prices of foodgrains), after "Jola", in the first and the second columns respectively :—

"Save"	Rs. 18.
"Sajje"	Rs. 18.

No C. 1191—Co. 24-49-7, dated Bangalore, 1st February 1950.

In exercise of the powers conferred by sub-rule 2 of Rule 81 of the Defence of India Rules, as applied to Mysore and continued by the Supplies, Services and Miscellaneous Provisions (Temporary Powers) Act, 1947 (Act XX of 1947), the Government of Mysore are pleased to direct that the following amendments shall be made to the Mysore Cotton Textiles (Export Control) Order, 1949 and to direct with reference to sub-rule (1) of Rule 119 of the said Rules that notice of the amendments shall be given by the publication of the same in the official Gazette.

In the said Order—

(1) (*a*) In sub-clause (*a*) of clause 2, for the words "Outside Mysore State" the words "Outside Indian Dominion" shall be substituted.

(*b*) In sub-clause (*d*) of clause 2, for the words "Outside the State" the words "Outside India" shall be substituted.

(2) (*a*) In sub-clause (1) of clause 8, for the word "Mysore" the words "Indian Dominion" shall be substituted.

(*b*) In sub-clause (iii) of clause 8, for the words "Selling agent outside Mysore" the words "Selling agent outside India" shall be substituted.

(3) In the first proviso under sub-clause (iv) (*b*) of clause 8, for the words "Selling agent outside Mysore" the words "Selling agent outside India" shall be substituted.

A. S. KHALEEL,
Secretary to Government,
Public Health, Food and Civil
Supplies Departments.

Printed by the Director of Printing, Stationery and Publications
at the Government Press, Bangalore.

GOVERNMENT OF MYSORE.

NOTIFICATION.

No. L. 8030—C M. 57-49-9, dated the 28th January 1950.

In exercise of the powers conferred by sub-section (1) of Section 68 of the City of Bangalore Municipal Corporation Act, 1949, (LXIX of 1949), the Government of Mysore are pleased to make the following rules regulating the procedure with regard to the election of the Divisional Councillors of the Corporation of Bangalore and of the Councillors to fill the seats specially reserved for labour.

RULES.

Election of Divisional Councillors.

1 (*1*) Not less than one month before the date fixed for an election, the Commissioner, Corporation of Bangalore, shall forward for the approval of the Government a notice thereof stating—

(*a*) the number of persons to be elected ;

(*b*) the divisions for which they are to be elected ;

(*c*) the number of seats in each division for which elections are to be held, and if any seat is reserved, for whom it is reserved ;

(*d*) the dates on which, the places at which and hours between which, nomination papers should be presented, an interval of at least twenty days being allowed between the date fixed for election and the earliest date for presentation of nomination papers ;

(*e*) the person by whom the nomination papers will be received ;

(*f*) the dates on which the nomination papers will be taken up for scrutiny ;

(*g*) the day on which, and the place or places where, the votes of the electors will be taken should there be a poll ; and the hours during which the poll will be open, not being less than ten hours between 7 A.M. and 6 P.M. and

(*h*) the day on which, and the place and hour at which, the Commissioner will commence the counting of the votes.

(*2*) The Commissioner shall cause the notice as approved by the Government to be published in the *Mysore Gazette* and in two or more of the local daily newspapers and copies thereof shall be affixed in not less than three conspicuous places in each division for which the election is to be held.

Nomination of Candidates.

2. (*1*) The nomination of every candidate shall be made by means of a nomination paper in Form I, which shall, on application, be supplied free of cost by the Commissioner to any elector whose names is on the electoral roll for the division.

(*2*) Every nomination paper shall be signed by two such electors as proposer and seconder and the candidate shall sign a declaration on it expressing his willingness to stand for election.

(*3*) The same elector may sign as many nomination papers as there are vacancies to be filled but no more. Each candidate shall be nominated by a separate nomination paper.

(*4*) Every nomination paper shall be presented by the candidate in person or by his proposer and seconder together on any of the dates at the place and during the hours appointed, to the Commissioner or to such other persons as may be authorised by him in this behalf. The Commissioner or such other authorised person shall forthwith number the nomination papers serially in the order in which they are presented and enter on each nomination paper the time at which it is presented.

(*5*) Where a person has signed whether as proposer or seconder a larger number of nomination papers than there are vacancies to be filled, those of the papers so signed which have been first received upto the number of vacancies to be filled, shall be deemed to be valid.

(*6*) The rejection of a nomination paper of any candidate on the ground of any irregularity in respect

thereof shall not effect the validity of the nomination of the candidate, if the candidate has been duly nominated by means of another nomination in respect of which no irregularity has been committed.

(7) No nomination paper shall be received after the appointed time on the last of the dates appointed for the presentation of nomination papers.

3. On the presentation of a nomination paper, the Commissioner or other authorised person referred to in rule 2(*4*) may require the person or persons presenting the same to produce a copy of the electoral roll on which the candidate and his proposer and seconder are registered or of the necessary entries therein and shall satisfy himself that the same and number of candidate and his proposer and seconder as entered in the nomination paper are the same as those entered in the electoral roll. Where necessary, he shall direct that the former be amended so as to be in accordance with the latter.

The Commissioner may interpret any entry in the electoral roll as to overlook merely clerical or printing errors, but he shall record the interpretation adopted by him together with the reasons therefor.

4(*1*) At or before the time of presentation of his nomination paper or papers, each candidate wishing to stand for election shall deposit or cause to be deposited with the Commissioner in cash or in Government Promissory notes of equal value at the market rate of the day, a sum of twenty-five rupees, if he is a member of the Scheduled Castes or a sum of one hundred rupees, if he is not a member of such castes and no candidate shall be deemed to be duly nominated for any division in respect of which such deposit has not been made. A separate deposit shall be required in respect of each division for which the candidate wishes to stand.

Explanation.—The delivery to the Commissioner of a receipt from the Government Treasury or Bank wherein the Council has an account, evidencing the payment by or on behalf of a candidate to the credit of the Corporation of Bangalore of the amount required to be deposited under this sub-rule shall be deemed to be a deposit of such amount within the meaning of this sub-rule made by or on behalf of such candidate at the time of such delivery.

(2) If no nomination paper is received within the time appointed in that behalf in respect of any person by whom or on whose behalf, the deposit referred to in sub-rule (1) has been made, or if the nomination or any such person is rejected, or if he withdraws his candidature in the manner and within the time specified in rule 8 (1) the deposit shall be returned to the person by whom it was made; and if any candidate dies before the commencement of the poll, any such deposit, if made by him, shall be returned to his legal representatives or if not made by the candidate, shall be returned to the person by whom it was made.

(3) If any candidate by whom or on whose behalf, the deposit referred to in sub-rule (1) has been made withdraws his candidature under rule 8 (2) or if he is not elected and the number of votes polled by him does not exceed one-eighth of the total number of votes polled, divided by the number of members to be elected, the deposit shall be forfeited to the Corporation of Bangalore.

(4) For the purpose of sub-rule (3), the number of votes polled shall be deemed to be the number of ballot papers, other than spoilt ballot papers, counted.

(5) The deposit made in respect of a candidate who is not elected shall, if it is not forfeited under sub-rule (3), be returned to the candidate or to the person who has made the deposit on his behalf as the case may be, as soon as may be, after the publication of the result of the election in the Official Gazette; and the deposit made in respect of a candidate who is elected shall be so returned as soon as may be after the candidate has taken his seat in the Council or in pursuance of a direction by the Government for the return of the deposit despite the fact that the seat has been so taken by the candidate.

(6) Notwithstanding anything contained in sub-rules (2) and (5) where deposits have been made by or on behalf of a candidate in respect of two or more divisions, not more than one of the deposits shall be returned and the remainder shall be forfeited to the Corporation of Bangalore.

(7) A deposit required to be returned to any person under sub-rule (2) or sub-rule (5), shall, if such person is dead, be returned to his legal representative.

(8) Notwithstanding anything contained in this rule, a deposit made under sub-rule (1) shall not be returned, unless a claim therefor is delivered or sent by post to the Commissioner by the person who made the deposit or by his legal representative, as the case may be, within six months of the date of the declaration by the Commissioner of the results of the election or where such declaration is made on two different dates, within six months of the later of such dates.

5. The Commissioner or other authorised person referred to in sub-rule (4) of rule 2, shall at least fifteen days before the date fixed for the election, publish in the Municipal Office and in three conspicuous places in the division for which an election is to be held and by an advertisement in two or more of the local daily newspapers, a list in Form II of all nominations received, with a notice that the nomination papers will be taken up by the Commissioner for scrutiny at the Corporation Office or other specified place on the dates appointed under rule 1.

SCRUTINY OF NOMINATION PAPERS.

6. (1) The Commissioner shall attend to the Corporation Office on two consecutive working days next after the last day upon which the list of candidates nominated has been published, in order to scrutinise the nomination papers and to hear any objections which may be made to any nomination. Such objections may relate not only to the form of nomination but also to violation and non-observance of all or any of the provisions of the Act or rules thereunder relating to such nomination and may include objections concerning the eligibility of the candidates to stand for elections or of the nominators to nominate. Any elector of the division may file a written statement raising any such objection. The Commissioner may either on such objection or on his own motion, after such summary enquiry, if any, as he thinks necessary, reject any nomination on any of the following grounds :—

(i) That the candidate is ineligible for election under the law for the time being in force.

(ii) That the proposer or seconder is a person whose name is not registered on the electoral roll.

(*iii*) That there has been any failure on the part of the candidate or his proposer or seconder to comply with the provisions of rule 2 or rule 4.

(*iv*) That in case, the election is solely for a seat reserved for any community or person, the candidate does not belong to that community or is not a woman, as the case may be.

Provided that the nomination of a candidate shall not be rejected merely on the ground of an incorrect description of his name or of the name of his proposer or seconder or of any other particulars relating to the candidate or his proposer or seconder as entered in the electoral roll, if the identity of the candidate, proposer or seconder, as the case may be, is established beyond reasonable doubt.

(*2*) The Commissioner shall endorse on each nomination paper, his decision accepting or rejecting the same and, if the nomination paper is rejected, shall record in writing a brief statement of his reasons for such rejection. The scrutiny shall be completed on or before the last of the days notified in this behalf under rule 1 and no adjournment of the proceedings shall be allowed.

(*3*) The decision of the Commissioner on any such objection as aforesaid shall be final for the purposes of the election, unless within one week of the date on which the decision has been given, a petition for the revision of the decision be filed before the District Judge, Bangalore Division; in such a case, the decision of the said Judge, shall, subject to the provisions of sub-rule (4), be final. In case the objection is allowed, the decision of the Commissioner or the said District Judge or of the High Court as the case may be, shall be communicated to all the candidates affected thereby.

(*4*) An appeal shall lie to the High Court from the decision of the District Judge under sub-rule (3), if the said District Judge certifies that the appeal involves a point of law.

7. (*1*) In case a revision petition has been filed under rule 6 and the decision of the said District Judge has for any reason not been given more than three days before the date fixed for the election under rule 1, the Commissioner shall stop further proceedings in regard to the holding of the election and shall report the matter to

the Government, who shall fix, by notification in the Official Gazette, a fresh date for the election in respect of which such nomination was made, and copies of such notification shall be posted in not less than three conspicuous places in the division. The procedure prescribed by rules 2 to 6 shall, whatever be the decision of the Commissioner or the District Judge or the High Court, be repeated for such fresh election, unless the Government shall, by a special order, otherwise direct.

(*2*) The Government may fix a fresh date for the election not only in the contingency referred to in sub-rule (1) but whenever they deem fit to do so and they may exercise this power not only once but as often as may be necessary.

8. (*1*) Any candidate may withdraw his candidature by notice in writing signed by him and delivered to the Commissioner at any time after the presentation of his nomination paper or papers and not later than 3 o'clock in the afternoon of the day succeeding the last of the days appointed for the scrutiny of nominations. Unless the notice is delivered by the candidate himself to the Commissioner, the candidate's signature on the notice shall be attested by a person empowered to attest vakalats.

(*2*) In cases where a poll is found to be necessary, a candidate may also withdraw his candidature by notice in writing signed by the candidate and delivered by him personally to the Commissioner after the latest hour for withdrawal referred to in sub-rule (1) but at least seven clear dates before the date appointed for the poll.

A withdrawal under this sub-rule may be made not later than 5 o'clock in the afternoon of the last day for such withdrawal.

Explanation.—Withdrawal under this sub-rule shall entail forfeiture of the deposit made by or on behalf of the candidate.

(*3*) The Commissioner on receiving a notice of withdrawal under sub-rule (1) or sub-rule (2) shall, as soon as may be, cause a notice of the withdrawal to be published on the notice board of the Corporation Office; and where the withdrawal, to all other candidates of the division who have not withdrawn their candidatures.

(4) A candidate who has withdrawn his candidature under sub-rule (1) or sub-rule (2) shall not be allowed to cancel the withdrawal or to be re-nominated as a candidate for the same election.

9. The following provisions shall apply in respect of candidates whose nominations have not been rejected and who have not withdrawn their candidature :—

Case I.—Where the election is held for filling up only a general seat or a reserved seat in a division—

(*a*) if there is only one candidate, the Commissioner shall declare such candidate to be duly elected to such general or reserved seat ;

(*b*) if there are two or more candidates, the Commissioner shall arrange for a poll to be taken ; and

(*c*) if there is no candidate, the seat shall be filled up in accordance with the provisions of section 62 of the Act.

Case II.—Where the election is held for filling up both the general and reserved seats in a division—

(*a*) if there is only one candidate, and

(*i*) if such candidate is eligible for the reserved seat, the Commissioner shall declare him duly elected to the reserved seat ;

(*ii*) such candidate is not so eligible for the reserved seat the Commissioner shall declare him to be duly elected to the general seat ; and

(*iii*) the other seat shall be filled up in accordance with the provisions of Section 62 of the Act ;

(*b*) if there are only two candidates, and—

(*i*) if both of them are eligible for the reserved seat, the Commissioner shall by drawing lots declare one of them to be duly elected to the reserved seat and the other candidate to the general seat ;

(*ii*) if only one of them is eligible for the reserved seat, the Commissioner shall declare such candidate to be duly elected to the reserved seat and the other candidate to the general seat ; and